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## PASSENGERS ASLEEP ARE HURLED TO DEATH

Fastest Train on New York New Haven and Hartford from Washington to Boston Piles Up in Bad Wreck.

### TWELVE ARE KILLED AND MANY INJURED

Engineer Forgot New "Cross Over" for Which He Should Have Slowed Down; Struck It at Sixty Miles Per.

(By Evening Herald A. P. Leased Wire)

Bridgeport, Conn., July 11.—The general express, one of the New York New Haven and Hartford cars, read a fast train, coming across a bridge without warning from Washington to Boston, plunged over a deep cut, took embankment, bent, broke, and running 80 miles an hour, of the one hundred passengers, thirty were thrown from the train, six were seriously, one escaped death, of twenty-two others, seven were taken out of the railroad wagons, and seven, including the engineer, who seemingly were eliminated but it was evident they must have met their death. This probably counted the death but forty-one injured men in the hospital, and nearly a score more received injuries not severe enough to prevent them from continuing their journey.

The dead are:  
Engineer A. M. Curtis.  
Fireman W. A. Hunt.  
Mrs. Gwendolyn F. Rogers, wife of an electrician sergeant, aged sixteen, U. S. A.  
Rogers, aged 7 weeks, daughter of Mrs. Rogers.  
Helena B. Watson, address unknown.  
L. W. Christie, Philadelphia.  
Geo. E. Sanders, Newark, N. J.  
Two unidentified women.  
One unidentified child.

A new "cross over" installed on the line had caused such embankment on the western outskirts of the city, was directly responsible for the accident.

The train was late and the engineer was driving east as usual at five. When the heavy train of nine cars struck the switch at full speed, the locomotive烈烈, rocked and swayed over the ties for nearly 100 yards and finally fell to the street, dragging six cars down the bank. The coupling broke between the sixth and seventh cars, leaving three sleepers upright on the embankment, two of them still on the tracks.

The wreck occurred just before daylight, when the passengers escaped the wrecks and the one day coach.

Just behind the locomotive, three cars were piled one above the other. At the bottom of the heap was the day coach and most of the dead were taken from this car.

Many of the dead were so mutilated that identification was slow. Two bodies were found, one with its head severed, and the other impaled on a splinter.

Most of those pinned beneath the debris gave their lives to the promptness of the members of the St. Louis National Baseball team. The ball players were riding in the last two cars, which remained on the track. When the crash came they piled out in their jackets, and several of them were bleeding from cuts about the face caused by tearing over the wreckage.

"I was in the next to the last car," said Roger Armstrong, the team manager. "I was smoking at the time the wreck came and I grabbed hold of something. I got out all right. Not one of our men was hurt, but our baggage is gone."

TRAIN WAS RUNNING FAIR TOO FAST

Boston, Massachusetts, July 11.—Thirteen persons killed and twenty-two injured and the wreck due to the engineer taking a cross road at a speed estimated at 60 miles an hour, when the time card limited the speed to 15 miles an hour, was the statement concerning the Bridgeport wreck issued by officials of the New York New Haven and Hartford railroad here today.

FIVE ARE KILLED ON OREGON TRUNK

The Dalles, Oregon, July 11.—The wreck of a passenger train on the Oregon Trunk railroad, 23 miles north of Sherrars Bridge, yesterday afternoon has resulted in five deaths and 12 other persons are seriously injured.

The fatal and more serious injuries were caused by escaping steam and smoke. One of the passenger coaches fell on top of the engine which went over a forty foot embankment. The wreck was caused by a "sun rock," the rails having spread under the influence of the hot sun.

## BALLOONISTS RUN IN CYCLONE AND ARE FORCED TO COME DOWN

Aerial Race for James Gordon Bonnett Cup Is Becoming Exciting. With "Million Population" in the Lead.

### TWO ALIGHT SAFELY NEAR IOWA TOWN

#### MILLION POPULATION

(By Evening Herald A. P. Leased Wire)

Kansas City, Mo., July 11.—Forced to descend from 5,000 feet, where they encountered a terrible thunderstorm and lightning conditions, Captain A. Harrold, pilot, and Augustus Post, pilot in the balloon New York were compelled today to land at Fremont, Iowa, and give up their place in the elimination for the James Gordon Bonnett cup.

This was the first to land of the seven balloons that started from Kansas City yesterday afternoon. They landed safely, although severely injured by the storm.

At about the same time the balloon New York came to earth at Garryowen, big gas bag forced to descend near Cedar Rapids, having been struck by the same storm. Captain Harrold, the pilot and John Woods, his son, escaped uninjured.

At noon the other five balloons were still in the air, one passed straight through the million population of Kansas City at 7:30 this morning.

Great interest centered around the balloon New York because it held the lead during the race, the last, and because Augustus Post, who responded when R. Hawley, pilot of the America II, to victory in the James Gordon Bonnett cup race last year, was still the New York was a new balloon.

AVIATORS CONTINUE FLIGHT TO WASHINGTON

Washington, July 11.—Tired and hungry, but otherwise showing no ill effects of their trip from St. Louis, Arwood and Hamilton alighted from their airplane on the field of the army aviation school at College Park, Md., near this city at 5:45 o'clock this morning. They had covered about 40 miles at an average height of 600 feet.

Arwood announced that he probably would fly into Washington later in the day.

The aviators left St. Louis, Mo., near Baltimore, where they landed yesterday from Atlantic City, at 4:30 a.m.

THE TOPERA LANDS IN ILLINOIS NEAR LA HARPE

Tepeka, Ill., July 11.—The balloon Tepeka landed four miles from La Harpe, Ill., at 5 o'clock this morning.

ARIZONA NATIONAL GUARD IN CAMP

Eight Companies Assemble Today at Phoenix for Ten Days of Field Work Under Colonel Tuthill.

(By Evening Herald A. P. Leased Wire)

Phoenix, Ariz., July 11.—Eight companies of the Arizona National Guard arrived here today from different points throughout the territory and with two companies from the state, proceeded to Prescott, Ariz., Camp Verde, the annual encampment of the Arizona militia will be held. The encampment which will last ten days, will be under the command of Col. A. M. Tuthill of Monroe, ranking officer of the Arizona National Guard.

SANTA ROSA SURVIVORS WILL SUE COMPANY

Many of Them Are Now in Los Angeles and Two Millions Will Be Asked for Damages is Belief.

(By Evening Herald A. P. Leased Wire)

Los Angeles, July 11.—Many of the survivors of the wrecked steamer Santa Rosa, were in consultation here yesterday with attorneys and it is estimated the damage suits to be brought against the Pacific Steamship company will aggregate \$2,000,000.

A committee of the survivors demanded immediate settlement by the company for the loss of personal damages.

ZELAYA PREPARES TO BREAK LOOSE AGAIN

(By Evening Herald A. P. Leased Wire)

San Juan, P. R., July 11.—South American officials received here today say that it is reported that former president Zelaya is endeavoring to start a revolution in Nicaragua and has the support of a former ally of his, now president of a South American republic. Also, that a representative of the latter met Zelaya and Castro recently in Europe and arranged for an invasion of Nicaragua and Venezuela.

The fatal and more serious injuries were caused by escaping steam and smoke. One of the passenger coaches fell on top of the engine which went over a forty foot embankment.

The wreck was caused by a "sun rock," the rails having spread under the influence of the hot sun.



WAITING AT THE CHURCH

## ARIZONA RECALL OF JUDGES MUST BE ELIMINATED OR PRESIDENT TAFT WILL USE VETO

Fresh From Interview With President at White House Mr Smith Declares That Flood Amendment As It Passed House Will Never Be Accepted By National Executive; He Is Ready to Make Report But Will Insist Upon That Change in the Original Document; This Is the Only Method Wherby Prompt Admission Is Obtainable.

(By Evening Herald A. P. Leased Wire)

Washington, July 11.—Fresh from a conference with President Taft, Chairman Smith of the Senate territories committee today gave notice of an amendment to eliminate the judiciary clause provision in the Arizona constitution and said that if the resolution is adopted as it passed the house, it would be vetoed.

In presenting the report of the senate committee on the house bill, Chairman William M. Smith sent notice in the senate of an amendment to require the people of Arizona to modify their constitution so that the recall provision shall not apply to the judiciary.

The senator would require that the question be submitted to the voters and that the amendment be dependent upon their action.

Senator William Alden Smith, chairman of the senate committee on territories, submitted the report of the committee this afternoon, simple including the amendments for initiating and not commenting upon the resolution. He gave notice to the senate at the same time that he would present

the members for a prompt vote on the resolution but he said that it might be found expedient to ask for an adjournment to make out the Arizona version of the judiciary.

STRENUOUS ATTEMPT TO PASS FLOOD RESOLUTION

(By Evening Herald A. P. Leased Wire)

Washington, July 11.—In order to expedite statehood and secure the passage of the flood resolution at this session and its approval by the national executive, the members of the senate territorial committee will offer an amendment to the resolution providing for the complete elimination of the recall of the judiciary in the Arizona constitution.

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"I want to set this resolution aside at this session," said Chairman Smith this afternoon to the correspondent of the Evening Herald. "I can assure you that I am going to work to that end. It is growing in the south and there is no time to lose. It should be set aside to be voted on in the next session." Smith do all in his power to hurry action on the amendment.

It is said here on excellent authority that the president has determined that the measure as it passes will be vetoed.

Robert M. Parker, traffic manager of the American sugar refining company, said recently an offer of lower rates than the railroads

"Not to my knowledge, I would tell them to give the same rates to all."

"Then you don't want concessions?"

"We don't want to go so far."

"Don't the railroads have to cut under their published rates to meet some water rates?"

"They never do. You could not get a railroad in the United States to charge under a published rate under any condition."

MINISTERS IN MOB AFTER BOOTLEGERS

Masked Men Attack Alleged Violators in Grand Junction, Colorado, and Drive Them From Town.

(By Evening Herald A. P. Leased Wire)

Grand Junction, Colo., July 11.—A mob of masked men and concealed gunmen of Bullock's store last night took the six men there who had been leading a number of miners who had been held in the illegal "bootleggers" to jail immediately.

Ministers and town officials agreed to have none of the vigilantes participate. The former dispensers are afraid and threats are looked for unless they comply with the demands to close up immediately, and leave.

This is as far as Sganini remembers.

He was evidently struck with the pistol as soon as a club on the left side of the jaw and knocked against a concrete pillar, in a brick wall. The most serious injury Sganini sustained is on the back of his head in the vicinity of the base of the brain. It was at first believed, after he had been examined by physicians, that the skull was fractured. An examination as late as this morning, however, developed the belief that there is a concussion of the brain, which may prove serious. A wound on the left shoulder, evidently delivered with a club, indicates that some one standing in the rear of Sganini had cracked him at about the same time as he was struck with the pistol or gun on the left jaw. Physicians who examined Sganini as soon as he was discovered after the shooting, believe that he had been "knocked" or given knockout drops of some kind as soon as he was rendered unconscious by the blows.

The first intimation that the out-

side world had of the fact that Sganini had been abused, came when he wandered into a downtown office building, going aimlessly around from office to office, in a dazed condition, muttering, "Where am I?"

Finally he was picked up by a friend who happened in the office building and a physician was called. This was three hours after the hour Sganini believed he was knocked out. It was three hours later before he could be moved from the office

to accept the Milwaukee offer.

(Continued on Page 2, Column 2.)

## DEAD MAN TELLS OF BIG SUGAR MERGER THROUGH AN AFFIDAVIT

Last Statement of Gustave Kissell Under Indictment for Unlawfully Restraining Trade Denies Charge.

### KNEW HE WAS GOING TO DIE RELATIVES SAY

(By Evening Herald A. P. Leased Wire)

Washington, July 11.—A deathbed affidavit of Gustave Kissell indicated fully with other officers of the American Sugar Refining company on charges of conspiracy to restrain trade through the acquisition of the Pennsylvania Sugar Refining company in 1903, was introduced in evidence today when the house sugar trust committee resumed its inquiry.

The affidavit, never before made public, was submitted to T. S. Estes, counsel for the sugar trust, upon request of William H. Guthrie, Kissell's attorney, and members of Kissell's family.

The affidavit, said Mr. Estes, was taken in the hospital in New York a few days before Kissell's death last April, when he realized that he would probably not live to go to trial on no indictment.

Kissell's statement was that he had expressed a desire to testify under oath before the federal grand jury regarding his connection with the \$1,200,000 loan made by the American Sugar Refining company through him to Adolph Segal of Philadelphia, in which transaction Kissell's indictment was based, but that he had been induced before he had an opportunity to testify.

Concerning his "dangerous" illness, Kissell made this declaration:

"The charge made in the indictment that I entered into an unlawful conspiracy with the directors of the American company or anybody else in any way, is untrue, and the allegations that I deceived Mr. Segal at any time or in any way and that I wrongfully and unlawfully endeavored to injure him financially and to injure him paying his debts and to prevent the Pennsylvania Sugar Refining company from engaging in business are without foundation or support in the facts, and directly in conflict with the truth."

"I did everything in my power to good with to assist him financially and to help him off the loan and remove the stigma, and my testimony was at all times with him and not with the American company."

Segal admitted voting to those dozen the Pennsylvania sugar refiners because he required too much money to operate.

Robert M. Parker, traffic manager of the American sugar Refining company, testified today that the sugar trust had no advantage over competitors in railroad rates in New York.

"Did the American Sugar Refining company ever receive any offer of lower rates than the railroads?"

"Not to my knowledge. I would tell them to give the same rates to all."

"Then we will kill you," the bandit is reported to have replied.

"Go ahead and kill me," said Sganini.

The blackhand who was the leader then took a pistol and held it under Sganini's nose.

"For the last time, will you sign the paper before we blow your head off?"

"Go ahead and shoot," replied Sganini.

This is as far as Sganini remembers.

He was evidently struck with the pistol as soon as a club on the left side of the jaw and knocked against a concrete pillar, in a brick wall. The most serious injury Sganini sustained is on the back of his head in the vicinity of the base of the brain. It was at first believed, after he had been examined by physicians, that the skull was fractured. An examination as late as this morning, however, developed the belief that there is a concussion of the brain, which may prove serious. A wound on the left shoulder, evidently delivered with a club, indicates that some one standing in the rear of Sganini had cracked him at about the same time as he was struck with the pistol or gun on the left jaw. Physicians who examined Sganini as soon as he was discovered after the shooting, believe that he had been "knocked" or given knockout drops of some kind as soon as he was rendered unconscious by the blows.

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